

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	CRIMINAL NO. 2:19-CR-15
	§	JUDGES GILSTRAP/PAYNE
ANDRES MICHAEL MARTINEZ-JUAREZ	§	

ELEMENTS OF THE OFFENSE

You are charged in Count Three of the Superseding Indictment with a violation 21 U.S.C. § 841(a)(1), Possession with Intent to Distribute and Distribution of Methamphetamine. The essential elements which must be proven to establish violation of these offenses are:

FIRST: That you knowingly possessed a controlled substance;

SECOND: That the substance was, in fact, actual methamphetamine, a Schedule II controlled substance;

THIRD: That you possessed the controlled substance with the intent to distribute it or did distribute it; and

FOURTH: That the quantity of the controlled substance was at 50 grams or more.

Respectfully submitted,

STEPHEN J. COX
UNITED STATES ATTORNEY

/s/ Lucas Machicek
LUCAS MACHICEK
ASSISTANT U.S. ATTORNEY
Texas Bar No. 24064230
110 North College Avenue, Suite 700
Tyler, Texas 75702
(903) 590-1400

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Elements of the Offense has been served on counsel of record for the defendant via ECF on this, the 30th day of October, 2020.

/s/ Lucas Machicek
LUCAS MACHICEK